REMARKS

Claims 1, 7-10, 13, 24-26, 44-46, 50, 64-67, 69 and 70 are pending and have been rejected. (Applicants again note that claims 47-49 were previously and therefore are not now presented.) Claims 1, 7-10, 13 and 24-26 have been canceled without prejudice or disclaimer. Claim 45 has been amended to include limitations from claim 46, now canceled, and original claim 49. Claim 50 has been amended to depend on claim 45. New claims 72-81 have been added. Claims 72 and 73 include subject matter previously presented in original claims 52 and 53. Claim 74 includes subject matter previously presented in original claim 58, and finds further support in paragraph 0047 of the disclosure as originally filed. Claims 75 and 76 include subject matter previously presented in original claims 59 and 60. Claim 77 includes subject matter previously presented in original claim 63. Claim 78 includes subject matter previously presented in original claim 55, and now recites sequential repetitions of steps b)-e). Claim 79 includes subject matter previously presented in original claim 54. Claim 80 includes subject matter previously presented in original claim 4, and finds additional support, e.g, in paragraph 0038 of the disclosure as originally filed. Claim 81 includes subject matter previously presented in original claim 5. No new matter has been added, therefore entry of all amendments is respectfully urged.

Accordingly, claims 44, 45, 50, 64-67, 69-70 and 72-81 are presented for further consideration in view of the following remarks.

All pending claims stand rejected under 35 USC §103(a) as allegedly unpatentably obvious over Rachman et al., of record, in view of Jenkins et al., newly cited. The deficiencies of Rachman et al. have been discussed in the previous response. Jenkins et al., as shall be shown, fail to compensate for these deficiencies, thus rendering the proposed combination of references incapable of having led one of ordinary skill to the inventions defined by the present claims.

Cancellation without prejudice of claims 1, 7-10, 13 and 24-26 moots the rejections thereof. With respect to claims 44, 45, 64 and 65, the PTO's position is again understood to be that Rachman et al. disclose a system that includes all of the steps recited in the claims except the step of viewing a model removing an article of clothing when the question is answered correctly. The PTO now cites the teachings of Jenkins et al. as disclosing "reward animations". The PTO urges that it would have been obvious to replace the animations of Jenkins et al. with adult content, and then to combine the teachings of Jenkins et al. so modified, in order to arrive at the presently claimed inventions. In the PTO's view, such a substitution would have been a "matter of design choice."

The Jenkins et al. reference, however, is directed primarily toward a training program useful in developing a cognitive ability, such as language comprehension (see, e.g., col. 3, line 53 - col. 4, line10), rather than to an educational method as presently claimed, or even as disclosed by Rachman et al. The stimuli provided by Jenkins et al., such as those supplied in "Old MacDonald's Flying Farm," are chosen "to challenge, and therefore improve, a cognitive ability of the user" (col. 5, lines 5-6). Furthermore, unlike an educational method as presently claimed, the methods of Jenkins et al. involve "extended use of the training exercises described" in the reference "over a period of weeks. The essence of each training exercise remains the same during the entire period such that language comprehension skills of the user are fully developed rather than merely tested." Col. 21, lines 8-13.

Thus, Jenkins et al. disclose a training system whose function is to help children and others with learning disabilities develop their cognitive abilities. Since the system involves long-term repetition of exercises that can be tedious, Jenkins et al. provide animations that help keep the child or learning-disabled individual focused and encourage the child to continue with the training program. Such a system is very different from an instructional program intended to convey substantive information, rather than to develop a cognitive ability through repetitive drilling, and directed, not to children and others with learning disabilities, but to adults (as is clear, for example, by virtue of the nature of the viewing experiences provided to the viewer for supplying correct answers to questions posed). Accordingly, a skilled artisan would have had no motivation to turn to Jenkins et al. in seeking to develop such an adult-oriented educational system, still less to abstract the animations of Jenkins et al., replace them (for no textually discernible reason) with model-viewing, and combine model-viewing with the teachings of Rachman et al. For this reason alone, the proposed combination of references must fail to render the present claims obvious.

Should a routineer nevertheless, for some unknowable reason, have combined the teachings of Rachman et al. and Jenkins et al. as proposed by the PTO, he still would not have been led to the subject matter of any of the present claims. Again, applicants respectfully emphasize that the present claims are not directed merely to "a system and method that encourages users to further input correct responses." Rather, the present claims define systems and methods that include, *inter alia*, very specific selection, instruction and viewing steps nowhere disclosed, suggested or contemplated by the cited references.

Beginning now with present claim 44, the claimed method includes the specific steps of "b) providing to a central cite via a network i) an answer to at least one question, and ii) an instruction directing a model to remove an article of clothing when the central cite determines that the answer so provided is correct, and c) viewing via the network a model removing the article of clothing upon determination by the central cite that the answer provided in step b) is correct." Thus, the method requires that an ***instruction*** be provided ***to a model***, that the instruction direct the model to ***remove an article of clothing***, and that the removal be carried out ***when a correct answer is provided***. The method further requires ***viewing the model*** removing the article of clothing ***when it is determined*** that the answer provided is correct.

Careful consideration of the claim language and the teachings of the cited art makes clear that neither Rachman et al. nor Jenkins et al. suggest all of the limitations of claim 44. Neither of the cited references suggest, or even consider, interacting with a model in any way or for any reason. Still less do the references suggest providing an instruction to a model to carry out any activity, let alone to remove an article of clothing, or to perform the clothing removal in the event that a question is answered correctly. Nor do the cited references suggest viewing the model performing the instructed activity, namely removal of the article of clothing, when it is determined that the answer provided is correct. Applicants are compelled to stress that the particular steps of instructing a live model to remove an article of clothing, and viewing the model doing so when a correct answer is provided, are by no means suggested by the viewing of an animated (not live-via-video) display, still less by the provision of such an animated display to a learning-disabled child, or constitute a mere "design choice" that a routineer would have been led to make in view of the teachings of the cited art. Viewed from this perspective, the Rachman et al. and Jenkins et al. references, even if combined, must be considered incapable of having rendered present claim 44 obvious. Withdrawal of the rejection on this basis is courteously requested.

A similar analysis of present claim 45 yields the same conclusion. Claim 45 includes the specific steps of "b) providing to a central site via a network an answer to at least one said question, c) receiving a notification from the central site when the answer provided in step b) is correct, together with a request for selection of an article of clothing to be removed by a model, d) selecting an article of clothing in response to the request received in step c), and e) viewing via the network a model removing the selected article of clothing." Thus, the method requires that ***an article of clothing*** be ***selected*** for ***removal by a model***, that this selection be made ***in response to notification*** that a correct answer has been provided, and that the clothing removal be ***viewed***. As the preceding discussion of the cited references makes clear, the clothing selection and model-viewing steps are not suggested by Rachman et al. or Jenkins et al. Nor do the references suggest

selection of an article of clothing for removal by the model in response to notification that a correct answer has been provided. Furthermore, present claim 45 also recites that the educational application opened in step a) includes a link to a model site on a network that permits viewing a model, and that the link is activated when the educational application is opened. Neither of the cited references suggests a link to a model site on a network that permits viewing a model, or any activation of such a link at any time. For the foregoing reasons, the cited references must fail as §103 teachings. Withdrawal of the rejection on this basis is earnestly solicited.

Claims 50 and 62, dependent on claim 45, are distinguished from the Rachman et al. and Jenkins et al. references for the reasons set forth with respect to the parent claim. Claim 62, furthermore, recites that the notification of a correct answer and the request for selection of the article of clothing are received from the educational application. No such reception is suggested by the cited references. Claim 62 is distinguished for this additional reason.

Present claim 64, which likewise includes limitations directed to viewing a model at a model site on a network, instructing a model to remove a selected article of clothing when a question is answered correctly, and viewing the model doing so, is also not suggested by the cited art for reasons discussed above.

Claim 65, in contrast to the preceding claims, does not recite viewing a model at a model site on a network. Instead, the claim specifies that the educational application includes a video file including images of at least one model removing at least one article of clothing. In this claim, as in the preceding claims, an article of clothing is selected for removal when it is determined that a correct answer is provided. This selection limitation is nowhere suggested by Rachman et al. or Jenkins et al. When a correct answer is provided, the claim specifies viewing at least a portion of the video file including images of the model removing the selected article of clothing. Once again, the cited references are silent concerning such a viewing limitation. Claim 65 is therefore not rendered obvious by the cited references, and withdrawal of the rejection on this basis is respectfully requested.

Claim 66 defines a computer application that includes means for providing answers to questions to a model site, and means for instructing a model to remove an article of clothing when a question is answered correctly. Again, no such interaction with a model site, or instruction to a model concerning clothing removal, are described or suggested by Rachman et al. or Jenkins et al. Withdrawal of the rejection of claim 66, and of claim 67 dependent thereon, over these references is respectfully urged.

Claim 69 defines a computer application including limitations analogous to those of claim 65. For the reasons discussed above with respect to the latter claim, applicants submit that claim 69 is also distinguished over the cited references, and courteously solicit withdrawal of the rejection based thereon. Similarly, withdrawal of the rejection of claim 70, dependent on claim 69, is respectfully requested.

Applicants submit that newly added claims 72-81 are patentably distinguished over the prior art of record for reasons set forth above. The new claims include additional limitations that are also not suggested by the cited references.

Claims 72 and 78 recite that the educational application provides the model site with an instruction for the model to remove the selected article of clothing. No such instruction is suggested by the cited references, nor, as has been shown, is any interaction with a model site disclosed or suggested.

Claim 73 includes a mechanism to control access to the model site based on the location of the accessing site. No such mechanism is suggested by Rachman et al. or Jenkins et al., and indeed no apparent need for such a control mechanism is apparent from the teachings of these references.

Claim 74-76 provide premiums to a user after a pre-determined number of questions have been correctly answered. Claims 75 and 76 more particularly define the premium. Claim 75 provides a discounted or free admission to an establishment. No such premium is described by the cited references. Claim 76 provides a discounted or free performance by a model viewed in the clothing-removal step, the performance to be viewed either in person or on a site via a network. No such performance by a model is even contemplated by Rachman et al. or Jenkins et al., let alone by the ***specific model*** viewed while studying a subject according to the foregoing claims.

Claim 79 recites that a premium must be provided prior to accessing the model site. Since no model sites are suggested by the cited references, no provision of a premium to access such a site is suggested either.

Claims 80 and 81 recite that the model site allows viewing of one of a plurality of models. In claim 80, one of the available models is selected. In claim 81, another model is selected once a previously selected model has removed a final article of clothing. Clearly, neither of these claims are suggested by Rachman et al., let alone Jenkins et al.

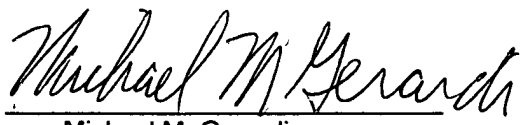
Since the newly added claims are patentably distinguished over the cited references for the reasons set forth above, applicants respectfully urge passage to issue thereof.

Finally, applicants again direct the PTO's attention to the article published in the journal XBiz World (January 2007, page 12), submitted with the previous response, which describes the development of a commercial product which appears to read directly on one or more claims of the present application. Again, even if the cited references somehow establish a *prima facie* case of obviousness with respect to one or more of the present claims (which applicants deny), the published report of the "Naughty American History" application constitutes an objective indicium of unobviousness sufficient to rebut such a hypothetical case.

Accordingly, applicants submit that claims 44, 45, 50, 64-67, 69, 70 and 72-81 are not rendered obvious over the teachings of Rachman et al. and Jenkins et al. Withdrawal of the §103(a) rejection on this basis is earnestly solicited.

In view of the foregoing remarks, it is submitted that all present claims are in condition for allowance. Should the Examiner have any questions, kindly contact the undersigned at the telephone number indicated.

Respectfully submitted,



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